

## MEETING #19 - June 8

At a regular meeting (#1) of the Madison County Board of Supervisors on June 8, 2021 at 4:00 p.m. in the War Memorial Building courtroom at 2 S Main Street:

PRESENT        R. Clay Jackson, Chair  
                     Charlotte Hoffman, Vice-Chair  
                     Kevin McGhee, Member  
                     Amber Foster, Member  
                     Carty Yowell, Member  
                     Jack Hobbs, County Administrator  
                     Sean Gregg, County Attorney  
                     Jacqueline Frye, Deputy Clerk

### **Call to Order, Determine Quorum, Pledge of Allegiance & Moment of Silence Determine Presence of a Quorum/Adopt Agenda**

Chairman Jackson advised that a quorum was present.

Chairman Jackson advised of the following amendments to today's Agenda:

#### **New Business:**

- *Add: Item 9 to Appoint Member to PRA to Fill Unexpired Term*
- The Six-Year Plan Improvement Plan public hearing was advertised for 6:00 p.m. and will need to remain as such

Supervisor Hoffman moved to approve today's Agenda as amended, seconded by Supervisor Foster. ***Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).***

***Public Comment:*** Chairman Jackson opened the floor for public comment. With no public comment being brought forth, the public comment opportunity was closed.

Special Appearances:

#### **1. Public Hearing: Secondary Six-Year Plan for Fiscal Years 2021/22 through 2026-27 (Advertised for 6:00 p.m.)**

2. Status Report on Criglersville Swinging Bridges (Jim Howe): Jim Howe was present and provided an update on citizen's group proposal to save the Criglersville Swinging bridges; highlights focused on the following:

Approval has been attained from all landowners to allow the foundation to proceed  
Endeavor to attain Mike Powell & Jeff Early to help establish the Swinging Bridges Foundation was unsuccessful; referral has now been made with Perkins Law Firm (as referred by Christine Nardi of Center for Non-Profit Excellence in Charlottesville)

Contact has been made with the Northern Piedmont Community Foundation about serving as the non-profit fiscal agent until the Criglersville Swinging Bridge Foundation is formed  
Budget has been compiled for a ten-year period with a total of \$132,000  
Quote received for insurance (\$1,500+ annually)

The following is a list of individuals being sought for the Community group to lead the effort forward until the Foundation is legally established:

- Jim Howe - Coordinator, legal and financial organization, engineering
- Renee Balfour - Fundraising and community outreach
- Susan Pell - Fundraising
- Stacey Londrey - VDOT advisor/liaison
- Scott Ellif - Informal advisor
- Missy Graves - Graves Farm liaison and community relations
- Ellen Early - Community relations
- Tracey Gardner - Community relations and publicity

Renee Balfour was present to provide the following on fundraising endeavors to raise money for the proposed project:

- 1) August 7th - Opening reception for Community Bridge Painting Competition on display at Possum's Store (starting 8/7 and on display through 8/29), prizes to be awarded for different age groups, etc. There may be a food truck, music, etc. during the day. We are having a bridge poster designed and will be for sale at the opening with profits going to the Bridge Foundation.*
- 2) September 11th - Graves Mountain Farm Fundraiser (daytime event) - Eric and the Graves have offered to host a fundraiser with 30% of the profits going to the Bridge Foundation. This will be a family event on the grounds with food, refreshments provided by Graves. There will be a silent auction of goods and services from local businesses, and "pass the hat" contributions.*
- 3) October 9th - Barn Dance Fundraiser at the Martin's (evening) This will be a \$100/person catered fundraiser for major donors, with a big band for dancing, and silent auction of artwork. Tickets will be available for approximately 120 attendees.*
  - *Scott at DuCard's will furnish the wine for this event.*
  - *All profits will go to the Bridge Foundation.*
  - *Our ultimate goal is to raise about \$135k, which will repair and maintain the bridges for at least 10 years, including insurance, funds to deconstruct the bridges should that be necessary, etc.*

Mr. Howe thanked the Madison County Board of Supervisors for their support.

#### Consent Agenda

3.
  - A. Approve minutes from the May 11, 2021 Meeting
  - B. Acknowledge 4th of July Fireworks Permit (Fellowship Baptist Church)
  - C. Acknowledge 4th of July Fireworks Permit (Graves' Mountain Lodge)
  - D. Authorize Payment of Invoices from Bond Proceeds
  - E. Acknowledge 4th of July Fireworks Permit (Bald Top Brewery)

Supervisor McGhee moved that the Board approve the Consent Agenda, seconded by Supervisor Yowell.  
*Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0). Absent:*

***Constitutional Officers, County Departments, Committees & Organizations***

4. Report on Committee Vacancies (Frye):

A. Summary of Appointments for the County Administrator: The Board was provided with a list of committee appointments that the County Administrator serves to include:

- School CIP Committee
- Shenandoah Committee
- Deputy Director of Emergency Management
- Rappahannock Rapidan Regional Commission
- Central Virginia Economic Development Partnership:

Supervisor McGhee moved that Amber Foster be appointed to serve as the County's interim representative on the Central Virginia Economic Development Partnership (after July 16, 2021 – the last day County Administrator Hobbs will be in the office) through December 31, 2021, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

- Topping Committee

B. Rapidan Service Authority: The term currently filled by Supervisor Yowell will expire on June 24, 2021 and he will need to be reappointed and also appoint an alternate.

*Supervisor McGhee moved to reappoint Carty Yowell to serve as the Board's representative on the Rapidan Service Authority and Chairman Jackson so serve as the alternate (through December 31, 2021), seconded by Supervisor Foster. Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

*Madison Parks & Recreation Authority:* Chairman Jackson advised that Dave Sisson on the Madison Parks & Recreation Authority has resigned; an appointment will be needed to fill the unexpired term through December 31, 2022. Gerald Carpenter, PRA Manager, has advised that Krista Tanner has expressed an interest in being considered to fill the unexpired term.

Supervisor Foster moved to appoint Krista Tanner to fill the unexpired term on the Parks & Recreation Authority (through December 31, 2022), seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

***CPMT & Rappahannock Juvenile Detention Center Finance Committee:*** The vacancies (currently filled by the former Finance Director) on the CPMT Board and the Rappahannock Juvenile Detention Center Finance Committee will remain in place at this time.

***CPMT:*** The appointment currently filled by Brenda G. Allen is still vacant; a new member will be needed to fill the unexpired term through December 31, 2021.

**Sheriff:** Erik Weaver, Sheriff, was present; his concern will be addressed by Item 9 on today's Agenda.

**Clerk of Circuit Court:** Leeta Louk, Clerk of Circuit Court, was present and advised that:

- \$80,000 was allocated to the State
- \$31,600 was allocated to the County
- 220 land records were recorded
- 19 judgments were issued
- 8 marriage licenses were issued
- 8 probates were issues
- Term day resulted in 58 new cases
- 24 concealed weapons permits were issued

**Facilities & Maintenance:** Roger Berry, Director of Facilities & Maintenance, was present; advised that remodeling efforts are progressing at 414 N. Main Street; noted that there may well be an issue regarding the tile for the bathrooms; currently working on competing details in the hallway; feels that the move will be scheduled on June 26th; working to have signage made to assist the public; advised that the options are being assessed for the seal located in the auditorium (i.e. remake or repaired) to accommodate the original size.

**Commissioner of the Revenue:** Brian Daniel, Commissioner of the Revenue, was present and advised his department is working on personal property records; counters are finally in place.

Roger Berry, Director of Facilities/Maintenance, advised that there are still a few punch list items being addressed at 410 N. Main Street.

**Building/Zoning:** Ligon Webb, County Planner, was present and provided a brief update on the Rother case (i.e. delayed until October 2021); the Planning Commission will be working on a revised cell tower ordinance (6,000 words down to 3,000 words); the additional Rother suite vs. Cresere underwent a preliminary hearing; the demur will now be held on June 30, 2021 at 6:30 p.m.; he has initiated some changes to the event regulation ordinance which he feels is fairly straightforward and easy to follow; all is going well in the building/zoning offices.

**EMS:** Noah Hillstrom, Director of Emergency Medical Services, advised that:

- 142 calls were toned
- Average response time was 9 minutes
- Advised of personnel changes; department is down by (7) medics; still working with ANS.

**E911:** Brian Gordon, Director of Emergency Communications, was present and provided a brief update on the radio tower project; looking an establishing back-up sites with letters being submitted to potential landowners; advised that ANS has placed fiber from ECC to Hoover Ridge site; recommended that fiber be run to the location to accommodate future growth in the future (i.e. Hoover Ridge, local schools, etc.); NextGen project is still on hold, pending Motorola's ability to review (pushed to October 2021); working to get Motorola to expand their personal and possibly move the projected date up.

**Emergency Management Services:** Mr. Gordon advised that the last COVID-19 2nd shot clinic will be held tomorrow from 8:00 a.m. to 10:30 a.m. at the firehouse for 130 people. In closing, he noted that the Madison County Fire Department has asked that the County be willing to cover the costs to have the floors in the firehall resurfaced due to extensive traffic (at a cost of about \$3,000.00).

It was further noted that the associated costs could possibly be reimbursed through FEMA as the use was incurred by the series of COVID-19 clinics.

Supervisor Yowell moved that the Board support the refinishing of the floors at the Madison County Fire Department, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).* In closing, Mr. Gordon advised that anyone still seeking to be vaccinated should contact the Madison County Health Department or the Culpeper Regional Hospital. Additionally, it was advised that the Madison County Extension Office is still taking calls until June 30, 2021.

**Economic Development & Tourism:** Tracey Gardner, Director of Economic Development & Tourism, was present and advised that:

- Executive Order #79 will lift the request to wear a mask and social distancing requirements, but not in all places (some businesses will still require patrons to wear a mask)
  - Now have two (2) tenants in place (one for \$100 and one for \$200 per month)
  - 60 true visitors in May; notable spike noted for the past two (2) weeks
  - Revaluation & AFID Grant- received performance agreement and under review
  - AFID call for another local business
  - Working with some of our wineries on and submitted VA Wine Board fund grant, and now also working on Virginia Tourism Marketing Leverage grant
  - The WanderLOVE Grant paid for another short video highlighting the new Lovework at Prince Michel/Tap 29 and businesses on both ends of Town
  - Attended weekly CVPED meetings, VEDA Impact ED meetings Hosted our CVAPED Spring social May 21st and made sure they spent money in Madison
  - Nelson and Madison's Crafting a New Normal grant hosted several webinars for businesses: Going Global, Expansion help. VTC reached out to us to leverage our grant and use some funds to help with workforce development. Everyone is still struggling for help
  - Met with Kevin regarding Broadband and discussed next steps
  - Central VA SBDC also hosted seminars and offering programs including Cyber Security, A Grand Reopening Celebration: A Retailer's Guide to Success today, but redoing on June 16th, A Guide for Retail Renewal on June 30th
  - VDOT Permit for Parade (Parade will move forward as planned)
  - Taste of the Mountains Festival will not commence this year
- *Supervisor Yowell: Noted that questions are being brought forth about Airbnb's (i.e. looking to rent to establish);*

To which Ms. Gardner noted that people are seeking to set up property(ies) as an Air B&B.

- *Chairman Jackson: Noted that the use to establish an Air B&B is 'by right', but folks will be required to pay the transient occupancy tax (TOT).*

Francoise Seillier-Moiseiwitsch, Commission member, was present to inquire about an update on the issue of broadband;

To which Supervisor McGhee advised that he and Ms. Gardner will be meeting with representatives from REC next week to discuss broadband.

**Animal Shelter:** Megan Ingram, Shelter Manager, advised that the County is in the peak of kitten season (currently have 28 kittens at the facility); currently 20 are spoken for and the remainder will be put up for adoption through the PetSmart Partnership Program; also have a stray emu at the facility - working to attain ownership; advised that a previous order for the fencing at the shelter was NTE exceed \$7,500; however, the new quote was presented for \$9,486.00, which she asked the Board of Supervisors to consider to be covered through the Topping Fund.

Supervisor McGhee moved that the Board approve the request for \$9,486.00 to be allocated from the Topping Fund to cover the costs of fencing at the Animal Shelter facility, seconded by Supervisor Foster.

*Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

### **Old Business**

5. Distribution of "The Socrates Guide to Poisonous Plants in Virginia" Publication: The Board was advised that a draft letter is included in today's packet for review by the Board. If the Board is in agreement with the draft letter, it will be placed on County letterhead and forwarded to the appropriate entities.

Chairman Jackson questioned if the request by Mr. Birkhofer is something that Madison County should be sending to all the localities or if this is something that can be submitted to VACo for publication on their website for all participating localities;

To which the County Administrator advised that utilizing VACo is the usual way that anything is submitted to be shared with the localities.

Bill Birkhofer was present and verbalized agreement with the suggestion as presented; he also noted that he has hard copies and noted that assistance from VACo would be most helpful.

After discussion, it was the consensus of the Board to suggestion the County Administrator ask VACO to assist with the promulgation of the document.

### **New Business**

6. FY22 Appropriation Resolution #2021-14 (Hobbs): The County Administrator advised that Resolution #2021-14 is being presented in order to appropriate the operating budget for the fiscal year totaling \$58, 523,478.

Supervisor Yowell: Advised that he verified the numbers provided to what was advertised and found no discrepancies.

Supervisor Yowell moved that the Board approve Resolution #2021-14 [Appropriating the FY22 Madison County Operating Budget] as presented, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

*The Resolution reads as follows:*

**RESOLUTION # 2021-14**

A RESOLUTION APPROPRIATING THE FISCAL YEAR 2022  
MADISON COUNTY OPERATING BUDGET

WHEREAS, on April 27, 2021 the Madison County Board of Supervisors adopted an Operating Budget for Madison County for Fiscal Year 2022 in the amount of \$58,523,478; and

WHEREAS, the Fiscal Year 2022 Adopted Operating Budget includes school operations funding for the Madison County School Division equaling \$21,484,844; and

WHEREAS, the Board of Supervisors is required to appropriate for actual expenditure the Fiscal Year 2022 Adopted Operating Budget; and

WHEREAS, 15.2-2506 and §22.1-94 of the Code of Virginia indicate that the Board of Supervisors may make annual, semiannual, quarterly, or monthly appropriations for contemplated expenditures;

NOW, THEREFORE, BE IT RESOLVED on this 8th day of June, 2021, that the Madison County Board of Supervisors hereby appropriates the Fiscal Year 2022 Adopted Operating Budget for in the amounts specified for each department and category contained in said budget; with such appropriations summarized below:

General Operations	\$28,986,199
School – Instruction	\$15,668,100
School – Admin, Attend, & Health	\$ 1,280,810
School – Pupil Transportation	\$ 1,482,303
School – Operations & Maintenance	\$ 2,241,053
School – Technology	\$ 757,023
School – Non-Instructional General Operations	\$ 55,555
School Food Services	\$ 896,500
Social Services (VPA)	\$ 3,103,843
Children’s Services Act (CSA)	\$ 2,219,593
County Debt Service	\$ 1,727,499
Transient Occupancy Tax Fund	\$ 105,000
Total Operating Appropriations	\$58,523,478

**Resolution #2015-15 [To appropriate the FY2022 Madison County Capital Budget for July 2021]:** The County Administrator advised that resolution excludes contingency funding (for specific items) that haven't yet been approved, but does include estimated costs for various capital projects (i.e. County Administration Center, Madison Primary School, and E911 public safety radio project).

Supervisor McGhee moved that the Board approve Resolution #2021-15 [To Appropriate the FY 2022 Madison County Capital Budget for July 2021], seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

*The Resolution reads as follows:*

**RESOLUTION # 2021-15**

**RESOLUTION TO APPROPRIATE THE FISCAL YEAR 2022 MADISON COUNTY CAPITAL BUDGET FOR JULY 2021**

WHEREAS, on April 27, 2021 the Madison County Board of Supervisors adopted a Capital Budget for Madison County for Fiscal Year 2022 in the amount of \$15,180,352; and

WHEREAS, the Fiscal Year 2022 Adopted Capital Budget includes school operations and capital funding for the Madison County School Division equaling \$1,017,215; and

WHEREAS, the Board of Supervisors is required to appropriate for actual expenditure the adopted Fiscal Year 2022 budget; and

WHEREAS, 15.2-2506 and §21.1-94 of the Code of Virginia indicate that the Board of Supervisors may make annual, semiannual, quarterly or monthly appropriations for contemplated expenditures; and

WHEREAS, the Board of Supervisors desires to make a monthly appropriation for capital expenditures;

NOW, THEREFORE, BE IT RESOLVED on this 8<sup>th</sup> day of June, 2021, that the Madison County Board of Supervisors hereby appropriates the Fiscal Year 2022 Adopted Capital Budget for July 2021 in the amounts specified for each fund contained in said budget; with such appropriations summarized below:

General Operations	\$ 3,582,831
County Capital Projects Fund	2,599,242
School Capital Projects Fund	850,689
Total Capital Appropriations	<u>\$7,032,763</u>

7. FY21 Supplemental Appropriations (Hobbs): The County Administrator advised more progress is needed on this item; further suggested that there is a series of actions that haven't yet been initiated by the Board of Supervisors to follow up all items; noted that additional information should be in order for review and approval by the next meeting; a special meeting may be required for June 30, 2021 to get this matter complete.

Emphasis was placed on the need to act on the EMS Station Study which involves a supplemental appropriation of \$19,800.00 to cover the costs to analyze the two (2) sites for potential use in the future. It was further noted that a proposal from Hurt & Proffitt is included in today's meeting packet for review.

Supervisor McGhee moved that the Board approve a supplemental appropriation for the EMS Station Study totaling \$19,800.00, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*



The County Administrator advised that Stephanie Murray, Treasurer, and Mary Earhardt, CPA, provided great assistance with the work up of the approved supplemental appropriations.

Stephanie Murray, Treasurer, provided an overview concerning a local property that was sold in 2010 due to delinquent taxes and an heir has now come forth to collect the funds that were initially held by the Clerk of Circuit Court Office for two (2) years. Reference was made to:

***§ 58.1-3967. How proceedings instituted; parties; procedure generally; title acquired; disposition of surplus proceeds of sale.***

That requires a public hearing to be held before the associated funds can be released. Information has been provided to the Chairman and County Attorney for review and advisement.

Virginia Code Section 58.1-3967 provides an outline that advises that the request for funds must be approved by the Board County.

The County Attorney made reference to the State's scheme for these types of cases with a two-year limitation; Madison is a locality that recognizes local property rights where some localities proceed quickly without fail; reference was made to court protocol regarding what an 'heir' must provide in order to obtain the funds (i.e. evidence of a family tree); verbalized concerns that other heirs may come forth for their share.

Leeta Louk, Clerk of the Circuit Court, advised that the case has been on the docket for years; the final order was done about two (2) years ago and the funds were held until heirs came forth; noted that letters were sent without response; verbalized concerns that a cut-off time needs to be established for these types of matters.

The County Attorney suggested that a decision be tabled until the meet meeting so as to allow him sufficient time to review the issue. In closing, it was noted that a policy decision will need to be made and that the burden of proof needs to be made clear; noted that individuals need to be encouraged to make their claim(s) in a timelier fashion while everyone is well aware of the circumstances.

➤ *Supervisor Yowell: Questioned whether the Commissioner of Accounts would have a part in these types of matters;*

To which the County Attorney advised that judicial tax sales are handled by the courts and not the Commissioner of Accounts.

After discussion, it was the consensus of the Board to allow the County Attorney to review the documents and provide a report at the next meeting session.

8. Proposed Event Regulation Ordinance (Jackson): Ligon Webb, County Planner, was present and provided a brief overview of the proposed event regulation ordinance; discussions have been held due to a recent motocross event at Graves' Mountain Lodge that could've caused the potential for emergency services to be involved unawares. Discussions have focused on the possibility to make amendments to allow for such types of events (i.e. Category 1, Category 2, Category 3), that involve the potential for a specific number of people, and require that local emergency services personnel be made

aware prior to the event taking place. In closing, he advised that the proposed amendments will be advertised for the public sometime in July 2021.

Brian Gordon, Director of Emergency Communications, verbalized agreement that it would be beneficial for the County to be made aware of any scheduled events that could possibly create any type of emergency issue within the locality.

After discussion, it was the consensus of the Board to discuss the proposed amendments at the upcoming meeting and determine the requirements for a public hearing on the ordinance change.

The County Administrator suggested that the proposed amendments be forwarded to all parties that may be interested so that comments can be reviewed prior to the ordinance amendment advertisement is posted.

**9. Appoint Interim Finance Director (temporary designation):** Chairman Jackson advised that the County will now need to appoint an Interim Finance Director in order to sign off on grant documents for the Sheriff's Office and the Commonwealth Attorney's Office, in the absence of a County Administrator; this has been discussed with Michele Thacker, Accounting Manager, and will be initiated without any expectation of a pay adjustment or future appointment.

The County Attorney suggested that the designee be given the title of "Interim Finance Director" which should satisfy the State's requirement and no pay adjustment.

Supervisor Hoffman moved to approve Michele Thacker as the Interim Finance Director, seconded by Supervisor Foster. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).**

*Chairman Jackson advised that the public hearing on the Six Year Road Improvement Plan will commence at 6:00 p.m.; Ms. Shephard will join virtually.*

## **Information/Correspondence**

**Public Comment:** Chairman Jackson opened the floor for public comment. The following individual(s) provided comment(s):

Terry Imboden of Walker's Mille Lane thanked the Board of Supervisors for considering Walker's Mill Lane for the Rural Rustic Road Program; noted that he met with Alan Saunders of VDOT, and also discussed concerns with Jeff Garr of VDOT regarding drainage issues and other items of concern; expressed a desire to see Walker's Mille Lane added to a future six-year improvement plan.

With no further comment(s) being brought forth, the public comment opportunity was closed.

## **Closed Session**

### **9. Closed Session (Personnel & Legal)**

On motion of Supervisor Hoffman, seconded by Supervisor Foster, the Board convened in a closed session pursuant to Virginia Code Sections:

- A. 2.2-3711(A)(7) for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probably litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body;
- B. 2.2-3711(A)(1) for discussion on the appointment of the Finance Director and County Administrator.

*Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Supervisor Hoffman moved that the Board reconvene in open session, seconded by Supervisor Foster.

*Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Supervisor Hoffman moved to certify that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A)(1), 2.2-3711(A)(7) and 2.2-3711(A)(29) and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, seconded by Supervisor Foster *Aye: Jackson, McGhee, Foster, Yowell. Nay: (0). Absent: Hoffman.*

*\*No action was taken as a result of the closed session.*

*\*Chairman Jackson recessed the meeting until the Public Hearing at 6:00 p.m.*

*\*Chairman Jackson reconvened the meeting.*

**6:00 p.m.**

***Public Hearing: Secondary Six-Year Plan for Fiscal Years 2021/22 through 2026-27***

Carrie Shephard, Resident Engineer, joined via the online platform and provided highlights from the draft six-year road improvement plan and advised that the following County roads are noted in the draft plan:

- Forest Drive
- Pea Ridge Road
- Desert Road (pt. 1 & pt.2)
- Whippoorwill Road (pt. 1)
- Emmett Drive
- Walker's Mill Lane

Chairman Jackson advised that a comment has been received from:

- Terry Imboden (Walker's Mill Lane)

Ms. Shephard noted that Emmett Road and Walker's Mill Road are noted on page 3 of the proposed plan that was just emailed late this afternoon.

Chairman Jackson advised that the proposed plan being presented for the County will be comprised of the aforementioned list provided by Ms. Shephard.

Chairman Jackson opened the floor of the public hearing. The following comments were received:

John Meadows questioned when Desert Road would be paved;

To which Ms. Shephard noted that the road will be almost fully funded in FY22 for part 1 (1.26 miles from Rt. 609) part 2 (from 1.26 miles to the end of the road) will be addressed in FY23.

Francoise Seillier-Moiseiwitsch advised that Desert Road needs some work due to dangerous nature of the roadway due to blind turns; noted that improving the road will likely result in more usage of the roadway; questioned if VDOT would install mirrors at various turns on the road to improve safety for motorists, cyclists and pedestrians.

Ms. Shepherd advised that VDOT no longer install mirrors along roadways, but advised that property owners can erect mirrors in their right-of-way on their property.

Ms. Shepherd also advised that VDOT intends to get at least 16'-18' of pavement along Desert Road, clear trees and clean the ditches; a traffic study will also be initiated with a speed limit posted of 35 mph if deemed appropriate.

➤ *Supervisor Yowell: Questioned if additional maneuvers will be necessary to initiate improvements based on safety concerns;*

To which Ms. Shepherd noted that the traffic study will evaluate the curves and assess whether there is a need to erect warning signage and an appropriate rate of speed. In closing, she noted that if there's funding in VDOT's budget, asphalt will be put into place if at all possible; the goal is to make the road ability to accommodate two vehicles to pass safely.

Mark Farmer made reference to the narrowness of Desert Road; there are many blind spots; noted that paving the road will not warrant safe access unless blind spots are researched; referred to a big rock (in front of the Joneses' property) and that two cars can't pass one another safely; noted that the school system assesses Desert Road prior to opening the schools during inclement weather conditions; made reference to the road becoming very poor as a result of erosion; also referred to property that he owns on Whippoorwill Road and how flooding limited access.

Ms. Shepherd advised that it will be VDOT's goal to make the road safe for two vehicles to pass one another without incident; advised that VDOT will make necessary improvements as deemed appropriate; advised of uncertainty about the curves, but will evaluate what's already in place; the goal for VDOT is to pave roads in the rural rustic road program by at least 18', but have had to pave some roads at 16' only.

Bill Sanford expressed appreciation that Forest Drive (Rt. 671) is being addressed; questioned the plan to re-install three (3) pipes in an area where heavy debris collects during heavy rains; noted that the collection of debris severely effects the flow of water and questioned why one (1) large single wide oval style pipe couldn't be put into place. Was advised by the technician that the three (3) pipes are already in inventory and installing one (1) large pipe will require fill to be put into place to increase the grade to the top of the pipe; noted that he is the only one that has ever cleared the debris out of the pipes for many years.

Ms. Shepherd advised that the work in the area is being administered by VDOT's Louisa Residency Office - contact will be made in order to attain additional information; also noted that VDOT will need to be advised to clear out the debris in the area being discussed.

In closing, Mr. Sanford advised that he has never seen anyone from VDOT on site to clear out any debris.

Billy Hill made reference to the intersection at Rt. 230 and Rt. 15; suggested that rumble strips be put into place in the northbound lane just before the store and caution light to enhance safety when motorists exit onto the roadway.

Chairman Jackson: Verbalized favor of the Board of Supervisors asking VDOT to install rumble strips just before the intersection on Rt. 15.

Bill Sanford: Referred to the petition from Pool Enterprises, Inc. to move their store, safety at the intersection was discussed at that time with a suggestion to straighten the curve to improve site distance; verbalized appreciation of the great work being done on Forest Drive.

Supervisor McGhee moved that the Board of Supervisors ask VDOT to install rumble strips just before the intersection at Rt. 614 and Rt. 15 in both directions, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

The County Administrator was charged with submitting the aforementioned request to VDOT.

Bill Sanford also made reference to a lot of subdivisions rights to property owners on Rt. 614 (Twyman's Mill Road) just west of Rt. 15) which has caused a significant amount of traffic on the roadway (south of Locust Dale); suggested that the roadway be widened in order to improve safety.

After discussion, it was the consensus of the Board of Supervisors to request that VDOT conduct a speed study and a traffic count Twyman's Mill Road (Rt. 614) be initiated by VDOT.

With no further comments being brought forth, the public hearing was closed.

**Resolution #2021-8 [Rural Rustic Designation for Desert Road (Route #606)]:**

Supervisor Hoffman moved that the Board approve Resolution #2021-8 [Rural Rustic Designation for Desert Road (Route #606)] as presented, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

*The Resolution reads as follows:*

**RESOLUTION #2021-8  
RURAL RUSTIC DESIGNATION FOR DESERT ROAD (ROUTE #606)**

The Board of Supervisors of Madison County, Virginia, in regular meeting on the 8th day of June, 2021, adopted the following:

**WHEREAS**, Section 33.2-332 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Madison County, Virginia (“Board”) desires to consider whether Route 606 Desert Road, from: Route 609 To: 2.50 miles north of Route 609, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

**Resolution #2021-1(a) [Preparation of the Plan with VDOT on the Proposed Plan FY21-22 through FY26-27]:** Supervisor Foster moved that the Board approve Resolution #2021-13(a) [Preparation of the Plan with VDOT on the Proposed Plan FY21-22 through FY26-27], seconded by Supervisor McGhee.  
*Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

*The Resolution reads as follows:*

#### **RESOLUTION #2021-13a**

At a Regular Meeting of the Madison County Board of Supervisors held at the War Memorial Building Courtroom located at 2 S. Main Street, Madison, Virginia 22727 on Tuesday, June 8, 2021:

WHEREAS, Section 33.2-331 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six Year Road Plan;

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2021/22 through 2026/27) as well as the Secondary System Construction Budget for Fiscal Year 2021/22, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Construction Budget.

WHEREAS, Carrie, Shephard, Resident Engineer, Virginia Department of Transportation, appeared before the board and recommended approval of the Six Year Plan for Secondary Roads (2021/22 and 2026/27) and the Secondary System Construction Budget for FY2021/22 for Madison County, Virginia.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interest of the Secondary Road System in Madison County and of the citizens residing in the Secondary System, and said Secondary Six Year Plan (2021/22 through 2026/27) Secondary System Construction Budget for Fiscal Year 2021/22 are hereby approved on this 8th day of June, 2021.

**Adjourn:**

With no further action being required, on motion of Supervisor Hoffman, seconded by Supervisor Foster, the meeting was adjourned until 7:00 p.m. on Thursday, June 17, 2021 at the Madison County Visitor's Center. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

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R. Clay Jackson, Chairman  
Madison County Board of Supervisors

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Clerk of the Board of the Madison County Board of Supervisors  
Copies: Board of Supervisors, County Attorney & Constitutional Officers  
Adopted on: June 22, 2021

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**Agenda**  
**Board of Supervisors Meeting**  
**Tuesday, June 8, 2021**  
**at 4:00 PM**  
**War Memorial Building Courtroom**  
**2 S. Main Street**  
**Madison, Virginia 22727**

Call to Order, Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum / Adopt Agenda

Public Comment

Special Appearances

1. *Public Hearing: Secondary Six-Year Plan for FY21-22 through 2026-27 (moved to 6:00 p.m.)*
2. Status Report on Criglersville Swinging Bridges (Jim Howe)

**Consent Agenda**

3.
  - a. Approve minutes from the May 11, 2021 Meeting
  - b. Acknowledge 4th of July Fireworks Permit Request (Fellowship Baptist Church)
  - c. Acknowledge 4th of July Fireworks Permit Request (Graves' Mountain Lodge)
  - d. Authorize Payment of Invoices from Bond Proceeds
  - e. Acknowledge 4th of July Fireworks Permit Request (Bald Top Brewery Co.)

**Constitutional Officers, County Departments, Committees & Organizations**

4. Report on Committee & Appointment Vacancies (Frye)

**Old Business**

5. Distribution of "The Socrates Guide to Poisonous Plants in Virginia" Publication

**New Business**

6. FY22 Appropriation Resolutions (Hobbs)
7. FY21 Supplemental Appropriations (Hobbs)
8. Proposed Event Regulation Ordinance (Jackson)
9. *Designation of Interim Finance Director*

**Information/Correspondence**

**Public Comment**

**Closed Session**

**6:00 p.m.**

*Public Hearing: Secondary Six-Year Plan for FY21-22 through 2026-27*

**Adjourn**

AMENDMENTS NOTED IN [ROYAL BLUE](#)